

FILED

APR 14 2011

PATRICK E. DUFFY, CLERK
By **DEPUTY CLERK, MISSOULA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

UNITED STATES OF AMERICA,

CR 11-1-H-DWM

Plaintiff,

vs.

ROBERT SHANE WILKINS,

**FINDINGS AND RECOMMENDATION
CONCERNING PLEA**

Defendant.

The Defendant, by consent, has appeared before the undersigned pursuant to Fed. R. Crim. P. 11 and has entered a plea of guilty to the charges of conspiracy to sexually exploit children in violation of 18 U.S.C. § 2251(a),(e) (Count I), sexual exploitation of children in violation of 18 U.S.C. § 2251(a) (Count II), conspiracy to distribute child pornography in violation of 18 U.S.C. § 2252A(a)(2) (Count III), distribution of child pornography in violation of 18 U.S.C. § 2252A(a)(2) as set forth in the Indictment. Defendant has agreed to the forfeiture allegations advanced under 18 U.S.C. § 2253(a). After examining the Defendant under oath, I have made the following determinations:

1. That the Defendant is fully competent and capable of entering an

informed and voluntary plea,

2. That the Defendant is aware of the nature of the charges against him and consequences of pleading guilty to the charges,

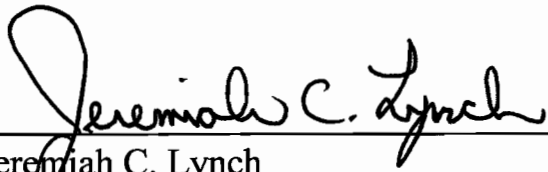
3. That the Defendant fully understands his constitutional rights, and the extent to which he is waiving those rights by pleading guilty, and

4. That the plea of guilty is a knowing and voluntary plea, supported by an independent basis in fact sufficient to prove each of the essential elements of the offenses charged.

Therefore, I recommend that the Defendant be adjudged guilty of Counts I through IV of the Indictment and that sentence be imposed. A presentence report has been ordered.

This report is forwarded with the recommendation that the Court defer a decision regarding acceptance until the Court has reviewed the presentence report.

DATED this 14th day of April, 2011.


Jeremiah C. Lynch
United States Magistrate Judge